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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN JOSE DIVISION**  
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21 UNITED STATES OF AMERICA, 22 23 Plaintiff, 24 25 v. 26 27 RANDY W. GOLDBERG, 28 Defendant.	CASE NO.: CR-07-00788-JF/PVT-7  <b><u>UNOPPOSED MOTION TO MODIFY</u></b> <b><u>CONDITIONS OF RELEASE</u></b>
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The Defendant, Randy W/ Goldberg, through undersigned counsel, files this Unopposed Motion to Modify Conditions of his Release and as grounds therefore, states as follows:

1. Mr. Goldberg was arrested on January 17, 2008, pursuant to the indictment in this case charging him with multiple counts of wire and mail fraud and conspiracy to engage in money laundering.

2. Mr. Goldberg was subsequently released on bond pursuant to a Pre-trial Release Order setting certain conditions, among which included travel restrictions and a curfew. Since

1 being released Mr. Goldberg has complied fully and satisfactorily with all of the conditions of his  
2  
3 bond.  
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5 3. By this unopposed motion, Mr. Goldberg seeks permission of the Court to travel to  
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7 attend certain family functions and a family vacation, all of which had been planned well before his  
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9 arrest. Specifically the events are as follows:  
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11 A. Mr. Goldberg seeks permission to attend their best friend's daughter's Bat  
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13 Mitzvah on March 8 and March 9, 2008. The Bat Mitzvah ceremonies will occur over two  
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15 days in South Miami, Florida. Since, Mr. Goldberg lives in North Dade, he would like to be  
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17 able to stay at a hotel with his family in the South Miami area on the evenings of March 8  
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19 and March 9, 2008, rather than driving back and forth each day.  
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21 B. Mr. Goldberg would like to attend with his family another best friend's  
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23 wedding in Washington, D.C. and combine it with a small family/spring break vacation  
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25 between April 17, 2008 and April 22, 2008.  
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27 C. Mr. Goldberg would like to take his children to Disney World, in Orlando  
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Florida, for 4 nights prior to April 30, 2008 when his pre-paid tickets will expire.

4. Before each trip, Mr. Goldberg will advise his pre-trial services officer in Miami of  
his complete itinerary, including dates of departure and return, his location and residence during his  
absence, and contact and any other information, as requested by the pre-trial service officer.

5. Mr. Goldberg has previously discussed this request with AUSA Jeffrey Nedrow and  
the Pre-Trial Services Officer in San Jose, and advised this Court as well during Mr. Goldberg's  
initial appearance. Neither, the Pre-trial Services Officer assigned to Mr. Goldberg, in San Jose or  
Miami, nor Mr. Nedrow have any objection to this request for limited modification of the terms of  
Mr. Goldberg's release. All other conditions of his release will remain in effect.

1 WHEREFORE, Mr. Goldberg respectfully requests entry of an Order modifying the terms of  
2  
3 his release and bond to allow him to travel, as set forth above, and to miss his curfew for those  
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5 corresponding days of travel, conditioned up him providing notice to the pre-trial officer prior to his  
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7 travel of his itinerary and such other information as requested by the pre-trial services officer.  
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9

10 Respectfully submitted,

11 **AKERMAN SENTERFITT**

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19 By: s/Steven E. Chaykin (pro hac vice)

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22 and

23 Michael S. Simon, Esq.

24 Co-Counsel for Defendant, Randy W.

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**PROOF OF SERVICE BY E-MAIL OR ELECTRONIC TRANSMISSION**

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I am employed in the County of Miami-Dade, State of Florida; I am over the age of 18 years and not a party to this action. My business address is One S.E. 3<sup>rd</sup> Avenue, 25<sup>th</sup> Floor, Miami, Florida 33131-1714.

On February 28, 2008, I served the following document(s) described as:

**UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE**

Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses (or fax numbers, if email not provided) listed below:

Jeffrey David Nedrow, Esq., USAO Lead Attorney for Plaintiff <a href="mailto:jeff.nedrow@usdoj.gov">jeff.nedrow@usdoj.gov</a>	Edwin Ken Prather, Esq. Lead Attorney for Asaf Nass, Defendant <a href="mailto:eprather@clarencedyer.com">eprather@clarencedyer.com</a>
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I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

- ☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ (Federal) I am member of the Bar for the State of Florida and admitted *Pro Hac Vice* in the Northern District of California. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on February 28, 2008, at Miami-Dade County, Florida.

s/ Steven E. Chaykin (Pro Hac Vice)